

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT WINCHESTER

KEITH A. LANE,

Plaintiff,

v.

4:09-cv-37

SHERIFF MURRAY BLACKWELDER, et al.,

Defendants.

MEMORANDUM

In this *pro se* prisoner's civil rights action, the plaintiff was ordered to show cause why this action should not be dismissed for failure to prosecute and to comply with the orders of this court. [Court File No. 30]. Plaintiff's copy of that order, which was mailed to him at his last known address of Bedford County Correctional Facility, was returned undelivered with the notation "not here." In the court's initial order, plaintiff was ordered to inform the court immediately of any address changes. Plaintiff was also advised that failure to provide a correct address within ten days following any change of address would result in the dismissal of this action.

Accordingly, this action will be **DISMISSED WITH PREJUDICE** for failure to prosecute and to comply with the orders of the court. Rule 41(b) of the Federal Rules of Civil Procedure. *See Jourdan v. Jabe*, 951 F.2d 108 (6th Cir. 1991); *Carver v. Bunch*, 946

F.2d 451 (6th Cir. 1991). The court will **CERTIFY** that any appeal from this action would not be taken in good faith and would be totally frivolous. *See* Rule 24 of the Federal Rules of Appellate Procedure.

AN APPROPRIATE ORDER WILL ENTER.

/s/Harry S. Mattice, Jr.
HARRY S. MATTICE, JR.
UNITED STATES DISTRICT JUDGE